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April 15, 2022

VIA ECF

Hon. P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 11D
New York, New York 10007

Re: *In the Matter of the Ex Parte Application of the Upper Brook Companies for an Order Directing Discovery in Aid of a Foreign Proceeding Pursuant to 28 U.S.C. § 1782, Misc. Case No. 22-mc-97 (PKC).*

Dear Judge Castel:

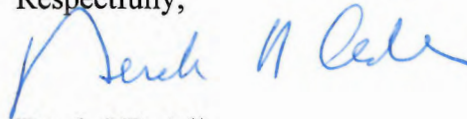
This firm represents Palladyne International Asset Management B.V. and its affiliates (collectively "Palladyne") in relation to the above-referenced matter. To the best of our knowledge, no conference has yet been scheduled.

Pursuant to the April 11, 2022 Order granting the application for discovery, the Court ordered the Applicants to (1) serve their full written submissions on Palladyne by way of its counsel in the Netherlands Proceeding, and (2) file, by Monday April 18, versions of their submissions from which bank account numbers and other unique bank account identifiers have been redacted.

We have received, overnight, copies of the unredacted submissions. Based on our initial review, it appears that the Applicants' filings include certain other materials or categories of non-public information that, Palladyne will contend, should be redacted or filed under seal. These include (1) material from an ongoing criminal investigation in the Netherlands, analogous to US grand jury materials, (2) confidential financial information gathered during the course of a forensic audit, and (3) confidential materials disclosed to Applicants in violation of Cayman law. However, we require additional time to fully investigate the nature of the materials and the circumstances surrounding their disclosure.

We therefore ask that the deadline for Applicants to file their submissions be deferred, and that Applicants be ordered not to file their submissions on the public court docket, until after we have had an opportunity to be heard on this issue. We propose to file a Letter Motion for approval of sealed/redacted filings by Friday April 22, one week from today, in compliance with Rule 5.B of the Court's Individual Practices. We have informed counsel for the Applicants of our proposal, and they do not object.

Respectfully,



Derek J.T. Adler

cc: Michael C. Miller, Esq.
Counsel for Applicants